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LETTER DATED 28 JULY 1994 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith a letter addressed to you by Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex which contains a letter dated 21 July 1994 sent to the Secretary-General by Mr. Rauf R. Denktaş, President of the Turkish Republic of Northern Cyprus, would be circulated as a document of the Security Council.

(Signed) İnal BATU
Ambassador
Permanent Representative

Annex

Letter dated 25 July 1994 from Mr. Osman Ertuğ
addressed to the Secretary-General

I have the honour to enclose herewith the copy of a letter dated 21 July 1994 addressed to Your Excellency by President Rauf R. Denktaş, concerning the recent ruling of the European Court of Justice effectively blocking Turkish Cypriot exports to States members of the European Union.

I would be grateful if the present letter and its enclosure were circulated as a document of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

Enclosure

Letter dated 21 July 1994 from Mr. Rauf R. Denktaş addressed to the Secretary-General

I would like to refer to the Greek Cypriot-instigated ruling of the European Court of Justice on 5 July, barring European Union (EU) member States from importing goods from north Cyprus, which demonstrates Greek Cypriot ill-intention and insincerity with regards to the United Nations-sponsored discussions on the implementation of confidence-building measures. The said decision of the European Court of Justice contravenes the very letter and spirit of the whole confidence-building measure exercise and as such jeopardizes the chances of an agreement which seemed to be within our grasp for the first time in 31 years.

Your Excellency has defined the philosophy behind the confidence-building measures in paragraph 47 of your report on your mission of good offices in Cyprus, dated 1 July 1993 (S/26026), in the following terms:

> "... the Varosha/Nicosia International Airport package would bring considerable and proportionate benefits to both communities. For the Turkish Cypriot side, it would mean the lifting for all practical purposes of the economic obstacles that have been weighing so heavily on their community ...".

Evidently the said ruling is incompatible with the stated philosophy behind the confidence-building measures, as the ruling constitutes an obstacle to the implementation of the confidence-building measures and, hence, the realization of the economic benefits that would accrue upon implementation. This latest restrictive measure against the Turkish Cypriots has also demonstrated that the Turkish Cypriot side was fully justified in its demands for strong guarantees in respect of the implementation of the package of confidence-building measures.

I would like to reiterate that, subject to nullifying the effect of the said ruling, the Turkish Cypriot side is ready to conclude and sign a properly drafted agreement on confidence-building measures, which we hope will contribute towards the building of mutual trust and confidence on the island, thus facilitating a comprehensive political settlement between two politically equal parties, the co-founders of the defunct bi-communal partnership Republic of 1960.

The Greek Cypriot-instigated ruling of the European Court of Justice is a glaring case in point which demonstrates that it is paradoxical for the Greek Cypriot side, on the one hand, to engage in a process directed towards an agreement on the confidence-building measure package and on the other, sustain an inhuman embargo on the Turkish Cypriot side.

I wish to express our profound disappointment that, obviously the European Court of Justice has been influenced by the barrage of false allegations by the Greek Cypriot authorities. I hope and trust that Your Excellency will use your influence as United Nations Secretary-General to redress this unacceptable situation, which blocks the way to a free negotiation process.

(Signed) Rauf R. DENKTAŞ
President